

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.5986 OF 2019**

1. Smt. Shikha Nagichi W/o Shri Prathmesh Nagaichi Aged About 46 Years Working As Teacher LB And Posted At Government Middle School Girwar, Block - Gourela, District - Bilaspur, Chhattisgarh.
2. Smt. Pratibha Toppo W/o Shri Ajit Nelson Toppo Aged About 36 Years Working As Lecturer And Posted At Government Higher Secondary School Masturi, District - Bilaspur, Chhattisgarh.
3. Dilip Jaiswal S/o Lallu Prasad Jaiswal Aged About 36 Years Working As Teacher And Posted At Government Middle School Andi, Block - Marwahi, District - Bilaspur, Chhattisgarh.
4. Smt. Ruma Mishra W/o Rajesh Mishra Aged About 53 Years Working As Lecturer And Posted At Government Higher Secondary School Lalpur, Block - Gourela, District - Bilaspur, Chhattisgarh.
5. Abhishek Singh Solanki S/o Shri Rajendrasharan Aged About 36 Years Working As Lecturer And Posted At Government Higher Secondary School Andi, Block - Marwahi, District - Bilaspur, Chhattisgarh.
6. Santosh Kumar Jangde S/o Gujraj Singh Aged About 42 Years Working As Lecturer And Posted At Government Higher Secondary School Dhanauli, Block - Gourela, District - Bilaspur, Chhattisgarh.
7. Rajesh Kumar Netam S/o Harvansh Lal Netam Aged About 37 Years Working As Lecturer And Posted At Government Higher Secondary School Gudumdevri, Block - Marwahi, District - Bilaspur, Chhattisgarh.
8. Punit Ram Uikey S/o Jivrakhan Singh Uikey Aged About 30 Years Working As Lecturer And Posted At Government Higher Secondary School Lalpur, Block - Gourela, District - Bilaspur, Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya New Raipur, District - Raipur, Chhattisgarh.
2. Chief Executive Officer Zila Panchayat Bilaspur, District - Bilaspur, Chhattisgarh.
3. Block Education Officer Block - Gourela, District - Bilaspur, Chhattisgarh.
4. Block Education Officer Block - Marwahi, District - Bilaspur, Chhattisgarh.
5. Block Education Officer Block - Masturi, District - Bilaspur, Chhattisgarh.

6. Chief Executive Officer Janpad Panchayat Gourela, District - Bilaspur, Chhattisgarh.
7. Chief Executive Officer Janpad Panchayat Marwahi, District - Bilaspur, Chhattisgarh.
8. Chief Executive Officer Janpad Panchayat Masturi, District - Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri Ajay Shrivastava, Advocate.
For Respondent-State	:	Shri Anshuman Shrivastava, PL.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.08.2019

1. The limited grievance which the petitioners have raised in the present writ petition by virtue of order passed by this Court in the case of Mukesh Kumar Patel Vs. State of Chhattisgarh, WPS No. 2530/2017 decided on 26.11.2017 have been granted benefit of revised pay scale on completion of 8 years of service.
2. The counsel for the petitioners submits that the grievance which now remains is that the benefit is being provided to the petitioners prospectively and though the respondents have made a calculation which the petitioners were entitled for from the date of their completion of 8 years of service but no effective orders have been passed nor have department taken any steps for release of the arrears of payment. The petitioners pray for an appropriate direction to the respondents for releasing the said amount. According to the petitioners, they had completed 8 years of service between 2013-2016 and accordingly they were entitled for the benefit of revised pay scale immediately on completion of 8 years of service. However, this benefit has been extended to the petitioners only from the year 2018-2019. Thus, the present writ petition has been filed seeking for direction to respondents to consider the claim of the arrears of

benefit between from the date petitioners completed 8 years of service till it was actually paid to the petitioners in the year, 2018-2019.

3. Without entering into the merits of the case and taking into consideration the judgment of this Court in the case of Mukesh Patel (Supra) which has also been affirmed by the Division Bench and taking note of the fact that respondents have complied with the order to the extent of granting revised pay scale to the petitioners, let respondents No. 2 to 4 take an appropriate decision at the earliest so far as release of the arrears of payment which the petitioners are entitled for. Expecting a decision from the respondents within a period of 90 days from the date of receipt of copy of this order the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge